

Remarks

Reconsideration of this Application is respectfully requested. Upon entry of the foregoing amendment, claims 9-20 and 35-36 are pending in the application, with claims 9, 35 and 36 being the independent claims. The claims stand rejected under 35 U.S.C. 102(e) and 35 U.S.C. 103(a).

Claim Rejections Under 35 U.S.C. 101

Claim 36 stands rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. While Applicant does not acquiesce to the Examiner's position, Applicant has amended claim 36 to advance prosecution of the application. Applicants reserve the right to pursue claims of different scope in a continuation application. Claim 36 is allowable as amended.

Claim Rejections Under 35 U.S.C. 102(b)

Claims 9, 10, 20 and 35 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,954,817 to Levine ("the Levine patent"). Applicants respectfully traverse the rejection for the reasons set forth below.

Independent Claim 9 and its Dependent Claims

The invention recited in independent claim 9 includes "a position sensor including a position sensing element coupled to [a] mount, the position sensor configured to generate a signal associated with a spatial position of the position sensing element with respect to a predetermined reference point."

The Levine patent discloses a finger-mounted graphic interface device that includes a sensing element (22). The sensing element (22) generates a signal representative of the position of a stylus ring point (12) in a plane defined by the sensing element. The spatial position of the

sensing element itself is never determined. In fact, the device of the Levine patent functions regardless of the spatial position of the sensing element.

The Levine patent fails to disclose determining the “spatial position of the position sensing element with respect to a predetermined reference point” as recited in claim 9. For at least this reason, the cited reference fails to anticipate the claimed invention. Accordingly, independent claim 9 is allowable over the cited reference. Based on their dependence upon independent claim 9, dependent claims 10 and 20 are also allowable.

Independent Claim 35

The invention recited in independent claim 35 includes “generating a signal associated with a spatial position of a position sensing element with respect to a predetermined reference point, the position sensing element being coupled to a position sensor, the position sensor being coupled to a mount configured to be worn on an appendage.”

As discussed above, the Levine patent discloses a finger-mounted graphic interface device that includes a sensing element (22). The sensing element (22) generates a signal representative of the position of a stylus ring point (12) in a plane defined by the sensing element. As discussed above, the spatial position of the sensing element is never determined. In fact, the device of the Levine patent functions regardless of the spatial position of the sensing element.

The Levine patent fails to disclose “generating a signal associated with a spatial position of a position sensing element with respect to a predetermined reference point” as recited in claim 35. For at least this reason, the cited reference fails to anticipate the claimed invention. Accordingly, independent claim 35 is allowable over the cited reference.

Claim Rejections Under 35 U.S.C. 103(a)

Claims 11 stands rejected under 35 U.S.C. 103(a) as being unpatentable over the Levine patent in view of U.S. Patent No. 4,988,981 to Zimmerman et al. ("the Zimmerman patent"). Based at least on its dependence upon independent claim 9, which is allowable for the reasons discussed above with respect to the rejection under 35 U.S.C. 102(b), dependent claim 11 is also allowable.

Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over the Levine patent in view of U.S. Patent No. 4,685,464 to Goldberger et al. ("the Goldberger patent"). Based at least on its dependence upon independent claim 9, which is allowable for the reasons discussed above with respect to the rejection under 35 U.S.C. 102(b), dependent claim 12 is also allowable.

Claims 13 and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over the Levine patent in view of U.S. Patent No. 4,825,872 to Tan et al. ("the Tan patent"). Based at least on their dependence upon independent claim 9, which is allowable for the reasons discussed above with respect to the rejection under 35 U.S.C. 102(b), dependent claims 13 and 14 are also allowable.

Claim 16 stands rejected under 35 U.S.C. 103(a) as being unpatentable over the Levine patent in view of U.S. Patent No. 3,868,565 to Kuipers ("the Kuipers patent"). Based at least on its dependence upon independent claim 9, which is allowable for the reasons discussed above with respect to the rejection under 35 U.S.C. 102(b), dependent claim 16 is also allowable.

Allowable Subject Matter

Applicant appreciates the Examiner's indication of allowable subject matter in claims 15 and 17-19.

Conclusion

All of the stated grounds of rejection have been properly traversed or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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Date: August 12, 2003

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